1948.

File No. B. Land Acquisition. 48

Legal DEPARTMENT

B BRANCH

Subject:— L.A. Bill No. I of 1948

A Bill to amend the Land Acquisition Act 1894 in its application to the province of Bombay

Bombay Act No. IV of 1948

File No. B. Land Acquisition 48

Std. Sectt. Slip 11 B a.

561-B.

Office of the P.L.A.

As desired by the P' and S.D. a draft Bill to amend the Land Acquisition Act, 1894, is sent herewith.

2. The subject-matter of the Bill falls under entry 9 in the Provincial Legislative List in the 7th Schedule to the Government of India Act, 1935. As the Bill does not relate to any matter in the Concurrent Legislative List it would not be necessary to reserve the same for the consideration of the Governor-General with reference to section 107(2) of the Government of India Act, 1935.

3. The Bill does not require any recommendation under the Government of India Act, 1935 but requires the previous sanction of the Governor under sub-section (3) of section 299 of the said Act.

4. The P. and S.D. will no doubt append a suitable Statement of Objects and Reasons to the Bill.

Sd/- P.N.Lal
27-12

C.C. Remembrancer of Legal Affairs.

U.R. to P. and S.D. No. 471-Genl, dated the 30th December 1947.

S.A.K.
29-5
4 copies

No. 2450
Legal Department.
Bombay Castle, 11th March 1946.

From

P.M.L
Secretary to the Government of Bombay.
Legal Department.

To

The Private Secretary to the Governor of Bombay.

Subject:- A Bill to amend the Land Acquisition Act, 1894, in its application to the Province of Bombay.

Sir,

With reference to section 75 of the Government of India Act, 1935, I am directed to forward herewith for the assent of His Excellency the Governor the authentic copy of the Bill to amend the Land Acquisition Act, 1894, in its application to the Province of Bombay, which was read for the third time and passed at the meetings of the Bombay Legislative Assembly and the Bombay Legislative Council held on the 15th February 1946, and on the 3rd March 1946, respectively.

2. The subject-matter of the Bill falls under entry 9 in list II in the Seventh Schedule to the Government of India Act, 1935. As the Bill does not relate to any matter in the Concurrent Legislative List, it is not necessary to reserve the same for the consideration of the Governor-General with reference to section 107(2) of the Government of India Act, 1935.

3. The date on which His Excellency the Governor's assent is given may kindly be entered in the endorsement.

4. I also forward herewith one copy of each of the items Nos. 1, 2, and 4, and 2 copies of item No. 3

S.A.K.
29-5
4 copies

of the papers noted in the margin. The Bill was not

1. Bill as introduced in the Bombay Legislative Assembly with the Statement of Objects and Reasons.	:
2. Bill as read for the third time and passed by the Bombay Legislative Assembly and as introduced in the Bombay Legislative Council.	:
3. Bill as read for the third time and passed by the Bombay Legislative Council.	:
4. Extracts from the proceedings of the Bombay Legislative Assembly dated the 15th February 1946 , and of the Bombay Legislative Council dated the 3rd March 1946.	:

referred to a Select Committee.

I have the honour to be,
Sir,
Your most obedient servant,

Sd/- P.M.Lad
11-3

O.C. Secretary to the Government of Bombay,
Legal Department.

Through
The Secretary to the Government of Bombay,
Revenue Department.

S.A .K.
29-5
4 copies

No. P.S.G.- 1252
Office of the Private Secretary to the Governor,
Government House,
Bombay, 15th March 1948.

From

L.M.Kalkarni, Esquire, ICS.,
Private Secretary to the Governor of Bombay.

To.

The Secretary to Government,
Legal Department.

Subject:- The Land Acquisition(Bombay Amendment) Bill, 1948.

Sir,

With reference to your letter No. 2490, dated the 11th March 1948, on the subject noted above, I return herewith, with His Excellency's assent signified thereon, the authentic copy of the Land Acquisition (Bombay Amendment) Bill, 1948.

Your obedient servant,

Sd/-

Private Secretary
to the Governor of Bombay.

S.A.K.
29-3
4 copies

Bills.

A Bill to amend the Land Acquisition Act, 1894, in its application to the Province of Bombay.

GOVERNMENT OF BOMBAY.
Legal Department.
Resolution No. 699
Bombay Castle, 20th January 1948.

Memorandum from the Political and Services Department dated the 14th January 1948--Transferring for necessary action, the papers relating to a Bill to amend the Land Acquisition Act, 1894, in its application to the Province of Bombay.

RESOLUTION:- The Bill with the Statement of Objects and Reasons should be forwarded to the Manager, Government Central Press, Bombay for publication in the Bombay Government Gazette, dated the 20th January 1948, as Bill No. I of 1948.

2. The Bill and the ~~Statement~~ Statement of Objects and Reasons should be translated into Marathi, Gujarati, Kannada and Hindustani (in Urdu and Devnagari scripts) and the translations should be published in the Bombay Government Gazette, on the 26th January 1948.

3. The dates of the various publications should be reported to the Bombay Legislature Department.

By order of the Governor of Bombay.

Sd/- S.L.CHAUDHARI
Assistant Secretary to Government

To

The Manager, Government Central Press, Bombay
(With the Bill and the Statement of Objects and Reasons and with a request that 230 gazette copies of the Bill and the Statement of Objects and Reasons may be forwarded to the Bombay Legislature Department for distribution to the members of the Bombay Legislative Assembly and 25 copies for the use of the Legal Department and 25 copies for the use of the Revenue Department.),

The Revenue Department,
*The Oriental Translator to Government,
The Bombay Legislature Department,
The Director of Publicity, Bombay,
The Enquiry Officer for the Secretariat, Bombay
) With a copy of the Bill and the Statement of Objects and Reasons.

*With five extra copies of the Bill.

S.A.K.
29-5
4 copies

Acts.

Publication of the Land Acquisition (Bombay Amendment) Act, 1948.

GOVERNMENT OF BOMBAY.
Legal Department.
Resolution No. 2676.
Bombay Castle, 17th March 1948.

Letter to the Private Secretary to the Governor No. 2450, dated the 11th March 1948.

Letter from the Private Secretary to the Governor P.S.G. -- 1292, dated the 15th March 1948.-

"With reference to you letter No. 2450, dated the 11th March 1948, on the subject noted above, I return herewith, with His Excellency's assent signified thereon, the authentic copy of the Land Acquisition (Bombay Amendment) Bill, 1948."

RESOLUTION:- The law should be published as Bombay Act No. IV of 1948, in the Bombay Government Gazette dated the 18th March 1948.

2. The Act should be translated into Marathi, Gujarati, Kannada and Hindustani (in Urdu and Devnagari scripts) and the translations should be published in the Bombay Government Gazette.

3. A copy of the Act should be forwarded to the Revenue Department.

By order of the Governor of Bombay.

Sd/- S.L.CHAKRADHARI.
Assistant Secretary to Government.

To

The Manager, Government Central Press, Bombay. (With a copy of the Act and with a request that 30 Gazette copies of the Act may be forwarded to the Legal Department).
The Revenue Department. : With a
*The Oriental Translator to Government. : a copy of
The Bombay Legislature Department. : the Act.
The Director of Publicity, Bombay. :
The Enquiry Officer, for the Secretariat, Bombay.

*With five extra copies of the Act.

S.A.K.
-9-5
4 copies.

Act.

L. A. BILL No. I OF 1948.

A Bill to amend the Land Acquisition Act, 1894, in its application to the Province of Bombay.

(As read for the third time and passed by the Legislative Assembly on the 18th February 1948.)

(As read for the third time and passed by the Legislative Council on the 3rd March 1948.)

WHEREAS it is expedient to amend the Land Acquisition Act, 1894, in its application to the Province of Bombay, for the purposes hereinafter appearing; It is hereby enacted as follows:—

I of 1894.

1. (*1*) This Act may be called the Land Acquisition (Bombay Amendment) Act, 1948. Short title, extent and commencement.

(*2*) It extends to the whole of the Province of Bombay.

(*3*) It shall come into force at once.

(*4*) It shall remain in force for a period of five years only.

2. In this Act unless there is anything repugnant in the subject or context,— Definitions.

(*i*) "housing scheme" means any housing scheme which the Government may from time to time undertake for the purpose of increasing accommodation for housing persons and shall include any such scheme undertaken from time to time with the previous sanction of the Provincial Government by a local authority or company;

(*ii*) "relevant date" means the first day of January 1948.

3. (*1*) Where during the continuance of this Act any land is acquired under the Land Acquisition Act, 1894 (hereinafter called "the said Act"), for the purpose of a housing Amendment of sections 3, 11 and 23 of Act I of 1894.

1 of 1894.

scheme the said Act shall have effect in relation to such acquisition as if—

(*a*) in clause (*f*) of section 3 after the words "such provision" the words and brackets "and a housing scheme as defined in the Land Acquisition (Bombay Amendment) Act, 1948" had been inserted; Bom. of 1948.

(*b*) in section 11 after the words, figures and brackets "section 4, sub-section (*1*)" the words "and at the relevant date" had been inserted; and

(*c*) in section 23—

(*i*) in the *first* clause of sub-section (*1*), after the words, brackets and figures "section 4, sub-section (*1*)" the words "or at the relevant date, whichever is less" had been inserted; and

(*ii*) sub-section (*2*) had been omitted.

(*2*) Nothing in this section shall apply to any building.

Government of Bombay

LEGAL DEPARTMENT

[L. A. BILL No. I OF 1948.]

As read for the third time and pas[illegible] by the Legislative Assembly on the 18th February 1948.)

(As read for the third time and passed by the Legislative Council on the 3rd March 1948.)

A Bill to amend the Land Acquision Act, 1894, in its application to the Province of Bombay.

[Mr. MORARJI DESAI, M.L.A.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.